

UNPUBLISHED

UNITED STATES COURT OF APPEALS
FOR THE FOURTH CIRCUIT

No. 99-4368

UNITED STATES OF AMERICA,

Plaintiff - Appellee,

versus

ALVIN DALE LEWIS,

Defendant - Appellant.

No. 99-4369

UNITED STATES OF AMERICA,

Plaintiff - Appellee,

versus

ALVIN DALE LEWIS,

Defendant - Appellant.

Appeals from the United States District Court for the Western District of North Carolina, at Statesville. Richard L. Voorhees, District Judge. (CR-97-61-V, CR-98-123-V)

Submitted: March 31, 2000

Decided: April 18, 2000

Before MOTZ and KING, Circuit Judges, and HAMILTON, Senior Circuit Judge.

Affirmed by unpublished per curiam opinion.

Joseph L. Ledford, LEDFORD & MURRAY, P.C., Charlotte, North Carolina, for Appellant. Robert J. Higdon, Jr., OFFICE OF THE UNITED STATES ATTORNEY, Charlotte, North Carolina, for Appellee.

Unpublished opinions are not binding precedent in this circuit. See Local Rule 36(c).

PER CURIAM:

Alvin Dale Lewis appeals his convictions for possession with intent to distribute cocaine and cocaine base in violation of 21 U.S.C. § 841(a) (1994), and a related conspiracy offense. See 21 U.S.C. § 846 (1994). On appeal, Lewis contends that his prosecution was barred by the Double Jeopardy Clause because it followed the forfeiture of a significant amount of currency and personal property seized at the time of his arrest. See United States v. Ursery, 518 U.S. 267, 280 (1996). Because Lewis failed to advance this argument in the district court, our review of the issue is constrained to a search for plain error. See United States v. Jarvis, 7 F.3d 404, 409 (4th Cir. 1993); see also United States v. Olano, 507 U.S. 725, 732-34 (1993) (defining plain error). However, our review of the record reveals no error of that magnitude. See Ursery, 518 U.S. at 280; see also Lynn v. West, 134 F.3d 582, 593 (4th Cir. 1998).

Accordingly, we affirm the conviction and sentence. We dispense with oral argument because the facts and legal contentions are adequately presented in the materials before the court and argument would not aid the decisional process.

AFFIRMED